

FILED

FEB 19 2009

U. S. DISTRICT COURT  
E. DISTRICT OF MO.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
                                  )  
                                  )  
Plaintiff,                   )  
                                  )  
                                  )  
v.                             ) No.  
                                  )  
MATTHEW MEES,               )  
                                  )  
                                  )  
Defendant.                   )

4 : 09CR00145ERW

INDICTMENT

COUNT I

The Grand Jury charges that:

At all times pertinent to the charges in this indictment:

1. Federal law defined the term

(a) "minor" to mean any person under the age of eighteen years (18 U.S.C. § 2256(1));

(b) "sexually explicit conduct" to mean actual or simulated--

(i) sexual intercourse, including genital-genital, oral-genital, anal-genital, oral-anal, whether between persons of the same or opposite sex,

(ii) bestiality,

(iii) masturbation,

(iv) sadistic or masochistic abuse, or

(v) lascivious exhibition of the genitals or pubic area of any person (18 U.S.C.

§2256(2)(A));

(c) "computer" to mean an electronic, magnetic, optical, electrochemical or other high speed data processing device performing logical, arithmetic or storage functions, including any data storage facility or communications facility directly related to or operating in conjunction with such device. (18 U.S.C. §2256(6));

(d) "child pornography" to mean any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where--

(A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; or

(C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct. (18 U.S.C. §2256(8)).

2. The "Internet" was, and is, a computer communications network using interstate and foreign telephone lines to transmit data streams, including data streams used to store, transfer and receive graphic files.

3. On or about March 15, 2006, in the Circuit Court of St. Louis County, State of Missouri, defendant pleaded guilty to three felony counts of Child Molestation in the First Degree.

4. Between on or about January 1, 2008, and on or about September 13, 2008, within the Eastern District of Missouri and elsewhere,

**MATTHEW MEES,**

the defendant herein, did knowingly possess material that contains an image of child

pornography that was produced using materials that traveled in interstate commerce, to wit, a Seagate Barracuda 200 GB hard drive, S/N 5ND1T3DM, that was produced outside Missouri and therefore has traveled in interstate commerce, and which contained child pornography, including but not limited to one of the following:

- 1) "10244246AUa.jpg" - a graphic image file depicting a minor female in a lascivious display of her genitals;
- 2) "10575286ZTt.jpg" - a graphic image file depicting a minor female in a lascivious display of her genitals;
- 3) "10708758cAd.jpg" - a graphic image file depicting a minor female in a lascivious display of her genitals;
- 4) "10224690ApM.jpg" - a graphic image file depicting a minor female in a lascivious display of her genitals while another person touches the minor's genitals;
- 5) "10224689lin.jpg" - a graphic image file depicting a minor female in a lascivious display of her genitals;
- 6) "10224691nkf.jpg" - a graphic image file depicting a minor female in a lascivious display of her genitals;

In violation of Title 18, United States Code, Section 2252A(a)(5)(B); and punishable under Title 18, United States Code, Section 2252A(b)(2).

**COUNT II**

The Grand Jury further charges that:

1. The allegations contained in paragraphs one, two and three of Count I of this Indictment are incorporated by reference as if fully set forth herein.
2. Between on or about January 1, 2008, and on or about September 13, 2008, within the Eastern District of Missouri and elsewhere,

**MATTHEW MEES,**

the defendant herein, did knowingly possess material that contained a visual depiction that depicts a minor engaged in sexually explicit conduct and is obscene and that was produced using materials that traveled in interstate commerce, to wit, a Seagate Barracuda 200 GB hard drive, S/N 5ND1T3DM, that was produced outside Missouri and therefore has traveled in interstate commerce, and which contained obscene drawings and cartoons, including but not limited to one of the following:

- a) "deflowering\_anonib.jpg" - a graphic image file depicting a minor female in a lascivious display of her genitals while a male attempts to have sexual intercourse with her;
- b) "lessons2\_anonib.jpg" - a graphic image file depicting a minor female in a lascivious display of her genitals while a male inserts his finger into her genitals,
- c) "lessons\_anonib.jpg" - a graphic image file depicting minor females chained to a bed while a male attempts to have sexual intercourse with a minor females;
- d) "grandfathercock5\_anonib.jpg" - a graphic image file depicting a minor female in a lascivious display of her genitals while one male attempts to have sexual intercourse with her and another male holds her;
- e) "121778561518.jpg" - a graphic image file depicting a male having sexual intercourse with a minor female,

In violation of Title 18, United States Code, Section 1466A(b)(1).

A TRUE BILL.

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FOREPERSON

CATHERINE L. HANAWAY  
United States Attorney

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ROBERT F. LIVERGOOD, #22937  
Assistant United States Attorney